

TO THE LOCAL RULES OF THE SOUTHERN DISTRICT OF TEXAS

WITNESS AND EXHIBIT LIST

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION	
Main Case No: 23-10006	Name of Debtor: Jody Sean McIntyre
Adversary No:	Style of Adversary:
Witnesses:	
Travis Bence	Judge: Rodriguez
Jody Sean McIntyre	Courtroom Deputy: Ana Castro
Any person called as a witness by another party	Hearing Date: 02/09/2023
	Hearing Time: 1:30 PM
	Party's Name: South Padre Capital Reserve, LLC
	Attorney's Name: Andrew K. Rozell
	Attorney's Phone: 956/428-1282
	Nature of Proceeding:
	Expedited Motion for Relief From Stay - In Rem Relief Requested

EXHIBITS

[illegible]

NOTE: This exhibit list is to be prepared in advance of the date of trial by counsel to parties and furnished to the court in triplicate and served on the opposing parties.

CERTIFICATE OF SERVICE

I certify that in addition to all persons served through the Court's CM/ECF system, on February 2, 2023, I served a true and correct copy of the foregoing Exhibit List and the attached exhibits on the following person by first class United States Mail at the address shown below:

Jody Shawn McIntyre
1005 Ebony Ln.
Laguna Vista, TX 78578

/s/Andrew K. Rozell
Andrew K. Rozell

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Southern District of Texas
(State)

Case number (if known): Chapter 7

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
FILED

SEP - 9 2022

☐ Check if this is
amended filingNATHAN OCHSNER
CLERK OF COURT

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

12/15

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name A+ Pro Recovery and Towing LLC
2. All other names debtor used in the last 8 years
Include any assumed names, trade names, and doing business as names
dba A+ Pro Recovery and Towing, dba FSLA Towing, dba Paradise Towing & Recovery, dba A+ Pro Beach Tow, dba A+ Pro Auto Services, dba South Padre Island Towing
3. Debtor's federal Employer Identification Number (EIN) 84-3936383
4. Debtor's address
- | | |
|---|---|
| Principal place of business | Mailing address, if different from principal place of business |
| <u>1515 Padre Blvd</u>
Number Street | <u>2216 Padre Blvd Ste B-453</u>
Number Street |
| <u>Suite C</u> | P.O. Box |
| <u>South Padre Island TX 78597</u>
City State ZIP Code | <u>South Padre Island TX 78597</u>
City State ZIP Code |
| <u>Cameron</u>
County | Location of principal assets, if different from principal place of business |
| | Number Street |
| | City State ZIP Code |
5. Debtor's website (URL) _____
6. Type of debtor
☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other. Specify: _____

Debtor

A+Pro Recovery and Towing LLC
Name

Case number (if known)

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

4 8 8 4

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☒ Chapter 7
- ☐ Chapter 9
- ☐ Chapter 11. Check all that apply:

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No

☐ Yes. District _____ When _____ Case number _____
MM / DD / YYYY

District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☒ No

☐ Yes. Debtor _____ Relationship _____
District _____ When _____
Case number, if known _____
MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Debtor

A+ Pro Recovery and Towing LLC
Name

Case number (if known)

11. Why is the case filed in this district?

Check all that apply:

☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**☒ No☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).☐ Other _____

Where is the property? _____

Number

Street

City

State

ZIP Code

Is the property insured?

☐ No☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information**13. Debtor's estimation of available funds**

Check one:

☐ Funds will be available for distribution to unsecured creditors.☒ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors**14. Estimated number of creditors**☒ 1-49☐ 50-99☐ 100-199☐ 200-999☐ 1,000-5,000☐ 5,001-10,000☐ 10,001-25,000☐ 25,001-50,000☐ 50,001-100,000☐ More than 100,000**15. Estimated assets**☒ \$0-\$50,000☐ \$50,001-\$100,000☐ \$100,001-\$500,000☐ \$500,001-\$1 million☐ \$1,000,001-\$10 million☐ \$10,000,001-\$50 million☐ \$50,000,001-\$100 million☐ \$100,000,001-\$500 million☐ \$500,000,001-\$1 billion☐ \$1,000,000,001-\$10 billion☐ \$10,000,000,001-\$50 billion☐ More than \$50 billion

Debtor A+ Pro Recovery and Towing LLC Case number (if known) _____

16. Estimated liabilities

- ☐ \$0-\$50,000 ☒ \$1,000,001-\$10 million ☐ \$500,000,001-\$1 billion
☐ \$50,001-\$100,000 ☐ \$10,000,001-\$50 million ☐ \$1,000,000,001-\$10 billion
☐ \$100,001-\$500,000 ☐ \$50,000,001-\$100 million ☐ \$10,000,000,001-\$50 billion
☐ \$500,001-\$1 million ☐ \$100,000,001-\$500 million ☐ More than \$50 billion

Request for Relief, Declaration, and Signatures

WARNING – Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 09/09/2022
MM / DD / YYYY

x

Jody A. McIntyre
Signature of authorized representative of debtor

Jody McIntyre
Printed name

Title Managing Member

18. Signature of attorney

x

Signature of attorney for debtor

Date 09/09/2022
MM / DD / YYYY

Printed name

Firm name

1505
Number

Street

South Padre Island
City

State

ZIP Code

956-683-6911
Contact phone

Email address

Bar number

State

A-Pro Towing & Recovery, LLC
2216 Padre Blvd
Suite B 185
South Padre Island, TX 78597

U.S. Small Business Administration
10737 Gateway West
#300
El Paso, TX 79935

C T Corporation System
ATTN: SPRS
330 N Brand Blvd
Suite 700
Glendale, CA 91203

Corporation Service Company
PO Box 2576
Springfield, IL 62708

Scott Hilker and Janet Hilker
2216 Padre Blvd
Suite B 111
South Padre Island, TX 78597

South Padre Capital Reserve LLC
2216 Padre Blvd
Suite B 185
South Padre Island, TX 78597

NOV 07 2022

NATHAN OCHSNER
CLERK OF COURT☐ Check if this is an
amended filing

Fill in this information to identify your case:

United States Bankruptcy Court for the:

Southern District of Texas

Case number (if known): _____ Chapter you are filing under:
☒ Chapter 7
☐ Chapter 11
☐ Chapter 12
☐ Chapter 13

Official Form 101

Voluntary Petition for Individuals Filing for Bankruptcy

06/22

The bankruptcy forms use *you* and *Debtor 1* to refer to a debtor filing alone. A married couple may file a bankruptcy case together—called a *joint case*—and in joint cases, these forms use *you* to ask for information from both debtors. For example, if a form asks, "Do you own a car," the answer would be yes if either debtor owns a car. When information is needed about the spouses separately, the form uses *Debtor 1* and *Debtor 2* to distinguish between them. In joint cases, one of the spouses must report information as *Debtor 1* and the other as *Debtor 2*. The same person must be *Debtor 1* in all of the forms.

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Identify Yourself

About Debtor 1:

About Debtor 2 (Spouse Only in a Joint Case):

1. Your full name

Write the name that is on your government-issued picture identification (for example, your driver's license or passport).

Bring your picture identification to your meeting with the trustee.

CASTINE

First name

LAUREN

Middle name

MCILHARGEY

Last name

Suffix (Sr., Jr., II, III)

First name

Middle name:

Last name

Suffix (Sr., Jr., II, III)

2. All other names you have used in the last 8 years

Include your married or maiden names.

First name

Middle name

Last name

First name

Middle name

Last name

First name

Middle name:

Last name

First name

Middle name

Last name

3. Only the last 4 digits of your Social Security number or federal Individual Taxpayer Identification number (ITIN)

xxx - xx - 0 9 9 8

OR

9 xx - xx - _____

xxx - xx - _____

OR

9 xx - xx - _____

Debtor 1

CASTINE LAUREN MCILHARGEY

First Name

Middle Name

Last Name

Case number (if known)

About Debtor 1:

About Debtor 2 (Spouse Only in a Joint Case):

4. Any business names and Employer Identification Numbers (EIN) you have used in the last 8 years

Include trade names and doing business as names

☒ I have not used any business names or EINs.

Business name

Business name

EIN

EIN

☐ I have not used any business names or EINs.

Business name

Business name

EIN

EIN

5. Where you live

1515 PADRE BLVD STE C

Number Street

SOUTH PADRE ISLAND TX 78597

City State ZIP Code

CAMERON

County

If your mailing address is different from the one above, fill it in here. Note that the court will send any notices to you at this mailing address.

2216 PADRE BLVD STE B 158

Number Street

P.O. Box

SOUTH PADRE ISLAND TX 78597

City State ZIP Code

If Debtor 2 lives at a different address:

Number Street

City State ZIP Code

County

If Debtor 2's mailing address is different from yours, fill it in here. Note that the court will send any notices to this mailing address.

Number Street

P.O. Box

City State ZIP Code

6. Why you are choosing this district to file for bankruptcy

Check one:

☒ Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.☐ I have another reason. Explain.
(See 28 U.S.C. § 1408.)

Check one:

☐ Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.☐ I have another reason. Explain.
(See 28 U.S.C. § 1408.)

Debtor 1

CASTINE LAUREN MCILHARGEY
First Name Middle Name Last Name

Case number (if known)

Part 2: Tell the Court About Your Bankruptcy Case

7. The chapter of the Bankruptcy Code you are choosing to file under

Check one. (For a brief description of each, see *Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy* (Form 2010)). Also, go to the top of page 1 and check the appropriate box.

- ☒ Chapter 7
☐ Chapter 11
☐ Chapter 12
☐ Chapter 13

8. How you will pay the fee

☐ I will pay the entire fee when I file my petition. Please check with the clerk's office in your local court for more details about how you may pay. Typically, if you are paying the fee yourself, you may pay with cash, cashier's check, or money order. If your attorney is submitting your payment on your behalf, your attorney may pay with a credit card or check with a pre-printed address.

☐ I need to pay the fee in installments. If you choose this option, sign and attach the *Application for Individuals to Pay The Filing Fee in Installments* (Official Form 103A).

☒ I request that my fee be waived (You may request this option only if you are filing for Chapter 7. By law, a judge may, but is not required to, waive your fee, and may do so only if your income is less than 150% of the official poverty line that applies to your family size and you are unable to pay the fee in installments). If you choose this option, you must fill out the *Application to Have the Chapter 7 Filing Fee Waived* (Official Form 103B) and file it with your petition.

9. Have you filed for bankruptcy within the last 8 years?

☒ No

☐ Yes. District _____ When _____ Case number _____
MM / DD / YYYY
District _____ When _____ Case number _____
MM / DD / YYYY
District _____ When _____ Case number _____
MM / DD / YYYY

10. Are any bankruptcy cases pending or being filed by a spouse who is not filing this case with you, or by a business partner, or by an affiliate?

☐ No

☒ Yes. Debtor A+ PRO RECOVERY AND TOWING LLC Relationship to you AFFILIATE
District SOUTHERN TEXAS When 09/09/2022 Case number, if known 22-10132
MM / DD / YYYY
Debtor _____ Relationship to you _____
District _____ When _____ Case number, if known _____
MM / DD / YYYY

11. Do you rent your residence?

☐ No. Go to line 12.

☒ Yes. Has your landlord obtained an eviction judgment against you?

☒ No. Go to line 12.

☐ Yes. Fill out *Initial Statement About an Eviction Judgment Against You* (Form 101A) and file it as part of this bankruptcy petition.

Debtor 1

CASTINE LAUREN MCILHARGEY

First Name Middle Name Last Name

Case number (if known)

Part 3: Report About Any Businesses You Own as a Sole Proprietor

12. Are you a sole proprietor of any full- or part-time business?

☒ No. Go to Part 4.

☐ Yes. Name and location of business

A sole proprietorship is a business you operate as an individual, and is not a separate legal entity such as a corporation, partnership, or LLC.

If you have more than one sole proprietorship, use a separate sheet and attach it to this petition.

Name of business, if any

Number Street

City

State

ZIP Code

Check the appropriate box to describe your business:

☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))

☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))

☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))

☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))

☐ None of the above

13. Are you filing under Chapter 11 of the Bankruptcy Code, and are you a small business debtor or a debtor as defined by 11 U.S.C. § 1182(1)?

For a definition of *small business debtor*, see 11 U.S.C. § 101(51D).

If you are filing under Chapter 11, the court must know whether you are a small business debtor or a debtor choosing to proceed under Subchapter V so that it can set appropriate deadlines. If you indicate that you are a small business debtor or you are choosing to proceed under Subchapter V, you must attach your most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).

☒ No. I am not filing under Chapter 11.

☐ No. I am filing under Chapter 11, but I am NOT a small business debtor according to the definition in the Bankruptcy Code.

☐ Yes. I am filing under Chapter 11, I am a small business debtor according to the definition in the Bankruptcy Code, and I do not choose to proceed under Subchapter V of Chapter 11.

☐ Yes. I am filing under Chapter 11, I am a debtor according to the definition in § 1182(1) of the Bankruptcy Code, and I choose to proceed under Subchapter V of Chapter 11.

Debtor 1

CASTINE LAUREN MCILHARGEY

First Name Middle Name Last Name

Case number (if known)

Part 4: Report if You Own or Have Any Hazardous Property or Any Property That Needs Immediate Attention

14. Do you own or have any property that poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety? Or do you own any property that needs immediate attention?

For example, do you own perishable goods, or livestock that must be fed, or a building that needs urgent repairs?

☒ No

☐ Yes. What is the hazard?

If immediate attention is needed, why is it needed?

Where is the property?

Number Street

City

State

ZIP Code

Debtor 1:

CASTINE LAUREN MCILHARGEY

First Name Middle Name Last Name

Case number (if known)

Part 5: Explain Your Efforts to Receive a Briefing About Credit Counseling

15. Tell the court whether you have received a briefing about credit counseling.

The law requires that you receive a briefing about credit counseling before you file for bankruptcy. You must truthfully check one of the following choices. If you cannot do so, you are not eligible to file.

If you file anyway, the court can dismiss your case, you will lose whatever filing fee you paid, and your creditors can begin collection activities again.

About Debtor 1:

You must check one:

☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

☒ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.

Within 14 days after you file this bankruptcy petition, you **MUST** file a copy of the certificate and payment plan, if any.

☐ I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy.

If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

☐ I am not required to receive a briefing about credit counseling because of:

☐ **Incapacity.** I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.

☐ **Disability.** My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.

☐ **Active duty.** I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

About Debtor 2 (Spouse Only in a Joint Case):

You must check one:

☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.

Within 14 days after you file this bankruptcy petition, you **MUST** file a copy of the certificate and payment plan, if any.

☐ I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy.

If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

☐ I am not required to receive a briefing about credit counseling because of:

☐ **Incapacity.** I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.

☐ **Disability.** My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.

☐ **Active duty.** I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

Debtor 1

CASTINE LAUREN MCILHARGEY

First Name Middle Name Last Name

Case number (if known)

Part 6: Answer These Questions for Reporting Purposes

16. What kind of debts do you have?

16a. Are your debts primarily consumer debts? *Consumer debts* are defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."

- ☒ No. Go to line 16b.
☐ Yes. Go to line 17.

16b. Are your debts primarily business debts? *Business debts* are debts that you incurred to obtain money for a business or investment or through the operation of the business or investment.

- ☐ No. Go to line 16c.
☒ Yes. Go to line 17.

16c. State the type of debts you owe that are not consumer debts or business debts.

17. Are you filing under Chapter 7?

☐ No. I am not filing under Chapter 7. Go to line 18.

Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available for distribution to unsecured creditors?

- ☒ Yes. I am filing under Chapter 7. Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available to distribute to unsecured creditors?
☒ No
☐ Yes

18. How many creditors do you estimate that you owe?

- ☒ 1-49
☐ 50-99
☐ 100-199
☐ 200-999
☐ 1,000-5,000
☐ 5,001-10,000
☐ 10,001-25,000
☐ 25,001-50,000
☐ 50,001-100,000
☐ More than 100,000

19. How much do you estimate your assets to be worth?

- ☒ \$0-\$50,000
☐ \$50,001-\$100,000
☐ \$100,001-\$500,000
☐ \$500,001-\$1 million
☐ \$1,000,001-\$10 million
☐ \$10,000,001-\$50 million
☐ \$50,000,001-\$100 million
☐ \$100,000,001-\$500 million
☐ \$500,000,001-\$1 billion
☐ \$1,000,000,001-\$10 billion
☐ \$10,000,000,001-\$50 billion
☐ More than \$50 billion

20. How much do you estimate your liabilities to be?

- ☒ \$0-\$50,000
☐ \$50,001-\$100,000
☐ \$100,001-\$500,000
☐ \$500,001-\$1 million
☐ \$1,000,001-\$10 million
☐ \$10,000,001-\$50 million
☐ \$50,000,001-\$100 million
☐ \$100,000,001-\$500 million
☐ \$500,000,001-\$1 billion
☐ \$1,000,000,001-\$10 billion
☐ \$10,000,000,001-\$50 billion
☐ More than \$50 billion

Part 7: Sign Below

For you

I have examined this petition, and I declare under penalty of perjury that the information provided is true and correct.

If I have chosen to file under Chapter 7, I am aware that I may proceed, if eligible, under Chapter 7, 11, 12, or 13 of title 11, United States Code. I understand the relief available under each chapter, and I choose to proceed under Chapter 7.

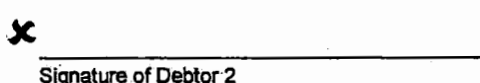
If no attorney represents me and I did not pay or agree to pay someone who is not an attorney to help me fill out this document, I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I understand making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.


 Signature of Debtor 1

Executed on 11/07/2022
 MM / DD / YYYY


 Signature of Debtor 2

Executed on _____
 MM / DD / YYYY

Debtor 1

CASTINE LAUREN MCILHARGEY

First Name Middle Name Last Name

Case number (if known)

For your attorney, if you are represented by one

If you are not represented by an attorney, you do not need to file this page.

I, the attorney for the debtor(s) named in this petition, declare that I have informed the debtor(s) about eligibility to proceed under Chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each chapter for which the person is eligible. I also certify that I have delivered to the debtor(s) the notice required by 11 U.S.C. § 342(b) and, in a case in which § 707(b)(4)(D) applies, certify that I have no knowledge after an inquiry that the information in the schedules filed with the petition is incorrect.

X

Signature of Attorney for Debtor

Date

MM / DD / YYYY

Printed name

Firm name

Number Street

City

State

ZIP Code

Contact phone

Email address

Bar number

State

Debtor 1

CASTINE LAUREN MCILHARGEY

First Name Middle Name Last Name

Case number (if known)

For you if you are filing this bankruptcy without an attorney

If you are represented by an attorney, you do not need to file this page.

The law allows you, as an individual, to represent yourself in bankruptcy court, but **you should understand that many people find it extremely difficult to represent themselves successfully. Because bankruptcy has long-term financial and legal consequences, you are strongly urged to hire a qualified attorney.**

To be successful, you must correctly file and handle your bankruptcy case. The rules are very technical, and a mistake or inaction may affect your rights. For example, your case may be dismissed because you did not file a required document, pay a fee on time, attend a meeting or hearing, or cooperate with the court, case trustee, U.S. trustee, bankruptcy administrator, or audit firm if your case is selected for audit. If that happens, you could lose your right to file another case, or you may lose protections, including the benefit of the automatic stay.

You must list all your property and debts in the schedules that you are required to file with the court. Even if you plan to pay a particular debt outside of your bankruptcy, you must list that debt in your schedules. If you do not list a debt, the debt may not be discharged. If you do not list property or properly claim it as exempt, you may not be able to keep the property. The judge can also deny you a discharge of all your debts if you do something dishonest in your bankruptcy case, such as destroying or hiding property, falsifying records, or lying. Individual bankruptcy cases are randomly audited to determine if debtors have been accurate, truthful, and complete. **Bankruptcy fraud is a serious crime; you could be fined and imprisoned.**

If you decide to file without an attorney, the court expects you to follow the rules as if you had hired an attorney. The court will not treat you differently because you are filing for yourself. To be successful, you must be familiar with the United States Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the local rules of the court in which your case is filed. You must also be familiar with any state exemption laws that apply.

Are you aware that filing for bankruptcy is a serious action with long-term financial and legal consequences?

- ☐ No
☒ Yes

Are you aware that bankruptcy fraud is a serious crime and that if your bankruptcy forms are inaccurate or incomplete, you could be fined or imprisoned?

- ☐ No
☒ Yes

Did you pay or agree to pay someone who is not an attorney to help you fill out your bankruptcy forms?

- ☒ No
☐ Yes. Name of Person _____

Attach Bankruptcy Petition Preparer's Notice, Declaration, and Signature (Official Form 119).

By signing here, I acknowledge that I understand the risks involved in filing without an attorney. I have read and understood this notice, and I am aware that filing a bankruptcy case without an attorney may cause me to lose my rights or property if I do not properly handle the case.

x 
Signature of Debtor 1

Date 11/07/2021
MM / DD / YYYY

Contact phone (956) 521-6150

Cell phone (956) 521-6150

Email address castine.mcintyre@gmail.com

x _____
Signature of Debtor 2

Date _____
MM / DD / YYYY

Contact phone _____

Cell phone _____

Email address _____

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE****ENTERED**

December 09, 2022

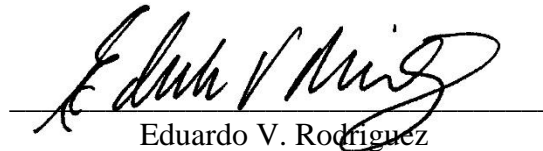
Nathan Ochsner, Clerk

IN RE:**CASTINE LAUREN MCILHARGEY,****Debtor.**§
§
§
§
§
§
§**CASE NO: 22-10170****CHAPTER 7****ORDER****STRIKING BANKRUPTCY PETITION**

On December 9, 2022, the Court held an initial status hearing. Upon review of the record, Debtor failed to take a pre-petition credit counseling course. 11 U.S.C. § 109(h)(1) states that if a debtor has failed to take a budget and credit counseling briefing from an approved agency within the 180 days prior to filing for bankruptcy, that individual may not be a debtor in bankruptcy. 11 U.S.C. § 521(b)(1) also requires a debtor to file a certificate for budget and credit counseling briefing prior to filing for bankruptcy. Debtor's failure to take the budget and credit counseling briefing prior to filing for bankruptcy disqualifies Debtor from being an eligible debtor in bankruptcy. Accordingly, it is therefore:

ORDERED that the bankruptcy petition is hereby **STRUCK**.

SIGNED December 9, 2022



Eduardo V. Rodriguez
Chief Judge
United States Bankruptcy Court

No. 2020-DCL-3294

CASTINE MCLHARGEY AND JODY	§	IN THE DISTRICT COURT
MCINTYRE, Individually and	§	
Derivatively on behalf of A+ PRO	§	
RECOVERY AND TOWING, LLC	§	
Plaintiffs,	§	
	§	
vs.	§	
	§	107th JUDICIAL DISTRICT
ERIK M. HAGER, JASON RIOS,	§	
EDUARDO PENA, JOANNA PENA,	§	
AND SOUTH PADRE TOWING AND	§	
RECOVERY, LLC	§	
Defendants	§	CAMERON COUNTY, TEXAS

ORDER SETTING THE FIRST AMENDED SOUTH PADRE CAPITAL RESERVE, LLC as assignee of A-PRO RECOVERY & TOWING, LLC, A+PRO COMPANIES, LLC, CASTINE McLHARGEY, JODY MCINTYRE and ALL OTHER OCCUPANTS' EVICTION APPEALS COVERING SUITE 1 and SUITE 5 and REQUEST FOR WRIT OF POSSESSION and ORDER SETTING SWORN MOTION TO DISMISS EVICTION APPEALS COVERING SUITE 1, SUITE 5 and the ACCOMPANYING TOW YARD

Motion to Dismiss Eviction Appeals Covering Suite 1, Suite 5 and the Accompanying Tow Yard and the Sworn Motions to Dismiss the Eviction Appeals Covering Suite 1, Suite 5 and Accompanying Tow Yard in the above-referenced cause, an oral hearing on same is hereby set on the **17** day of **January**, 20**23 @ 8:30 am**

IT IS SO ORDERED, ADJUDGED and DECREED.

SIGNED and ENTERED this the **10th** day of **January**, 20**23**

FOR HEARINGS ONLY

1/10/2023

JUDGE PRESIDING

cc: Travis L. Bence; BENCE & ASSOCIATES, LLC; TravisBence@gmail.com
RJWNunez@RichardJWNunezlaw.com
Francisco Orozco; forozco@southtexaslegal.com
Daniel Goldberg; DJG@LawGoldberg.com
Ernest Gamez; admin@gamezlawoffices.com
mail@spi-tow.com
jody@spi-tow.com
martinez.tony.jr@gmail.com
castine@spi-tow.com
APRTL@spi-tow.com

FILED
2020-DCL-03294
January 10, 2023 2:15 PM
LAURA PEREZ-REYES
CAMERON COUNTY DISTRICT CLERK
BY: Hernandez, Christina

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Claudia Hernandez on behalf of Travis Bence

Bar No. 24029441

claudia@benceattorney.com

Envelope ID: 71469045

Status as of 1/4/2023 12:25 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Francisco Orozco	24088162	forozco@southtexaslegal.com	1/4/2023 11:34:25 AM	SENT
Ernest Gamez	7606600	ernestogamezjr@gamezlawoffices.com	1/4/2023 11:34:25 AM	SENT
Ana Hernandez		ahernandez@southtexaslegal.com	1/4/2023 11:34:25 AM	SENT
A+ Pro Recovery & Towing		mail@spi-tow.com	1/4/2023 11:34:25 AM	SENT

Associated Case Party: Castine Mcilhargey

Name	BarNumber	Email	TimestampSubmitted	Status
Francisco Orozco		forozco@southtexaslegal.com	1/4/2023 11:34:25 AM	SENT
Castine Mcilhargey		castine@spi-tow.com	1/4/2023 11:34:25 AM	SENT

Associated Case Party: Eduardo Pena

Name	BarNumber	Email	TimestampSubmitted	Status
Daniel Goldberg		DJG@lawgoldberg.com	1/4/2023 11:34:25 AM	SENT
Katia Rivera Reyna		katia@lawgoldberg.com	1/4/2023 11:34:25 AM	SENT
Daniel JGoldberg		DJG@lawgoldberg.com	1/4/2023 11:34:25 AM	SENT

Associated Case Party: ErikM.Hager

Name	BarNumber	Email	TimestampSubmitted	Status
Francisco J.Orozco		forozco@southtexaslegal.com	1/4/2023 11:34:25 AM	SENT

Associated Case Party: Jody McIntyre

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Claudia Hernandez on behalf of Travis Bence
 Bar No. 24029441
 claudia@benceattorney.com
 Envelope ID: 71469045
 Status as of 1/4/2023 12:25 PM CST

Associated Case Party: Jody McIntyre

Name	BarNumber	Email	TimestampSubmitted	Status
Jody McIntyre		jody@spi-tow.com	1/4/2023 11:34:25 AM	SENT
Missy Medary		fifth.region@yahoo.com	1/4/2023 11:34:25 AM	SENT

Associated Case Party: Castine Mcilhargey And Jody McIntyre Derivatively On Behalf Of A+ Pro Recovery And Towing LLC

Name	BarNumber	Email	TimestampSubmitted	Status
A+ Pro Management		APRTL@spi-tow.com	1/4/2023 11:34:25 AM	SENT

Associated Case Party: Joanna Pena

Name	BarNumber	Email	TimestampSubmitted	Status
Daniel JGoldberg		DJG@lawgoldberg.com	1/4/2023 11:34:25 AM	SENT

Associated Case Party: A+Pro Companies LLC, Castine Mcilhargey, Jody McIntyre

Name	BarNumber	Email	TimestampSubmitted	Status
Richard Nunez		rjwnunez@richardjwnunezlaw.com	1/4/2023 11:34:25 AM	SENT